20100713143846001

महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम १९६६ चे कलम ३७(१ कक) (ग) अन्वये अधिसूचना

- धर्मादाय नोंदणीकृत संस्थांच्या धर्मशाळा / भक्त निवास इमारतींना अतिरीक्त ०.५० चटई क्षेत्र निर्देशांक प्रदान करणेबाबत, शिर्डी शहराच्या विकास नियंत्रण नियमावलीत नविन नियम क्रमांक २०.३.३.२ (दाटवस्तीबाह्य क्षेत्रासाठी) समाविष्ट करण्याबाबत..

महाराष्ट्र शासन
नगर विकास विभाग
मंत्रालय, मुंबई : ४०० ०३२
शासन निर्णय क्र.टिपीएस-१६०९/२७७७/प्र.क्र.३४६/०९/नवि-९,
दिनांक: ८ जुलै, २०१०.

शासन निर्णय :- सोबतची अधिसूचना महाराष्ट्र शासनाचे राजपत्रात कृपया प्रसिध्द करावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,

(प्रदीप गोहिल)
कार्यासन अधिकारी

प्रति,

१) विभागीय आयुक्त, नाशिक विभाग, नाशिक,
२) संचालक नगररचना, महाराष्ट्र राज्य, पुणे.
३) जिल्हाधिकारी, अहमदनगर.
४) उप सचिव (नगररचना), नगर विकास विभाग, मंत्रालय, मुंबई
५) उपसंचालक नगररचना, नाशिक विभाग, नाशिक.
६) सहायक संचालक नगररचना, अहमदनगर शाखा, अहमदनगर.
७) व्यवस्थापक, शासकीय मुद्रणालय व ग्रंथागार, येरवडा कारागृह, पुणे.
(त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासन राजपत्रात नाशिक विभागीय पुरवणी भाग-१ मध्ये प्रसिध्द करण्यात येऊन त्यांच्या प्रत्येकी ५ प्रती या विभागास, संचालक नगर रचना, महाराष्ट्र राज्य, पुणे व उपसंचालक, नगर रचना, नाशिक विभाग, नाशिक यांना पाठविण्यात याव्यात.)
८) मुख्याधिकारी, शिर्डी नगर पंचायत, जिल्हा अहमदनगर.
९) कक्ष अधिकारी, कार्यासन नवि-२९, नगर विकास विभाग
(त्यांना विनंती करण्यांत येते की, सोबतची अधिसुचना विभागाच्या वेब साईटवर ठेवावी.)
१०) निवडनस्ती (कार्यासन नवि-९)

GOVERNMENT OF MAHARASHTRA

Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated – 8th July, 2010

NOTIFICATION

The Maharashtra Regional and Town Planning Act, 1966.

No. TPS-1609/2777/CR-346/09/UD-9: Whereas Development Plan of Shirdi Town (hereinafter referred to as "the said Development Plan") has been sanctioned by the Director of Town Planning, Maharashtra State, Pune under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966) (hereinafter referred to as "the said Act") along with the Development Control Regulations for Shirdi Town (hereinafter referred to as "the said D.C.Rs.") vide his Notification No. DP/Shirdi/TPV-4/7334, dated 15th December, 1992 and has came into force on 25th February, 1993 ;

And whereas, there is need for accommodation of Pillgrims in Shirdi at a reasonable charges ;

And whereas, Govt. thinks that it may be possible to make available accommodation to the Pilgrims at reasonable charges if number of accommodation facility increase within Dharmshala / Bhakt Niwas. Buildings of registered charitable trust ;

And whereas, in the public interest at large, the Government has decided to initiate the procedure under section 37 (1AA) of the said Act to allow 0.50 additional FSI for Dharmshala / Bhakt Niwas buildings of Registered Charitable Trust in Shirdi Nagar Panchayat limit by incorporating following new Rule No. 20.3.3.2 in the said Regulations after Rule No. 20.3.3.1 (hereinafter referred to as "the said Modification Proposal") ;

Proposed New Rule Nos. 20.3.3.2 (for out side congested area) –

The Shirdi Nagar Panchayat may permit the floor space indices to be exceeded in respect of Dharmshala / Bhakt Niwas buildings in independent plots of Registered Charitable Trust by 0.5 FSI with prior approval from Government and subject to following terms & conditions.

i) Dharmshala / Bhaktnivas building shall be on independent plot.
ii) No commercial user shall be permitted in this building.
iii) The additional FSI shall be permissible to existing authorised user subject to structural stability.
iv) No condonation in the required marginal distances, open spaces and parkings shall be allowed in case of grant of such additional FSI.
v) The minimum area of plot shall be 4000 sq. mt.
vi) This provision of permitting additional FSI shall be made applicable only to the Dharmshala / Bhaktnivas providing residential amenities to the devotees at nominal rates.
vii) The additional FSI shall be permissible subject to the payment of premium of 25% of market value as per Ready Reckoner of respective year. Out of which 50% shall be paid to Government and the Shirdi Nagar Panchayat each.
viii) The proposal shall be consistent with the Development Plan proposals.

And whereas, in view of powers wested under sub-section (1AA) of section of the said Act, Government in Urban Development Department has published a Notice No. TPS-1609/2777/CR-346/09/UD-9, dated 5th December, 2009 (hereinafter referred to as "the said

Notice") regarding the said Modification Proposal and inviting suggestions / objections from the general public withing a period of one month from the date of publication of the said Notice in the official Gazette and also appointed the Deputy Director of Town Planning, Nashik Division, Nashik having his office at Revenue Commissioner Office, New Administrative Buld., Nashik Road, Nashik as an Officer under sub-section (1) of section 162 of the said Act (hereinafter referred to as "the said Officer") and who will submit his report on the same to Government submit his report on the same to Government withing 30 days of the expiry of the above mentioned period ;

And whereas, the said Officer has submitted his report regarding the said Modification Proposal on 17th April, 2010 to Government ;

And whereas, after consulting the Director of Town Planning, Maharashtra State, Pune and after making necessary enquiries the Government is of the opinion that the said Modification Proposal should be sanctioned with some conditions ;

Now therefore, in exercise of the powers vested under sub-section (1AA) (c) of section 37 of the said Act, the Government hereby -

1) Sanctions the said Modification Proposal regarding incorporation of new Rule No. 20.3.3.2 subject to conditions specified below -

New Rule Nos. 20.3.3.2 (for out side congested area) -

The Shirdi Nagar Panchayat may permit the floor space indices to be exceeded in respect of Dharmshala / Bhakt Niwas buildings in independent plots of Registered Charitable Trust by 0.5 FSI with prior approval from Government and subject to following terms & conditions.

i) Dharmshala / Bhaktnivas building shall be on independent plot.
ii) No commercial user shall be permitted in this building.
iii) The additional FSI shall be permissible to existing authorised user subject to structural stability.
iv) No condonation in the required marginal distances, open spaces and parkings shall be allowed in case of grant of such additional FSI.
v) The minimum area of plot shall be 4000 sq. mt.
vi) This provision of permitting additional FSI shall be made applicable only to the Dharmshala / Bhaktnivas providing residential amenities to the devotees at nominal rates.
vii) The additional FSI shall be permissible subject to the payment of premium in consultation with the Director of Town Planning, Maharashtra State, Pune at the rate of 25% of market value as per Ready Reckoner of respective year. Out of which 50% shall be paid to Government and the Shirdi Nagar Panchayat each.
viii) The proposal shall be consistent with the Development Plan proposals.
ix) It is necessary for the concerned institute to install the Fire fighting arrangements if the height of the building exceeds 15.00 mt.
x) It is necessary for the institute registered in the State other than the State of Maharashtra to obtain the certificate / NOC from the Charity Commissioner, Maharshtra State before availling the benefit of additional FSI.

2) Fixes the date of publication of this Notification in the Govt. Gazette as the date of comming in to force of this modification.

3) Directs the Shirdi Nagar Panchayat to add new entry as above after last entry in the Schedule of Modifications appended to the Notification sanctioing the said Regulations.

Note:- **A)** A copy of this Notification regarding sanctioned modification to the said Regulations is kept open for inspection by the general public in the offices of the following officers :-

1) The Deputy Director of Town Planning, Nashik Division, Nashik.
2) The Assistant Director of Town Planning, Ahmednagar Branch, Ahmednagar
3) The Chief Officer, Shirdi Nagar Panchayat, District Ahmednagar.

B) This notice is also available on Government web site www.urban.maharashtra.gov.in

By order and in the name of the Governor of Maharashtra,

(Pradeep Gohil)
Desk Officer

37(1AA) C